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DEPARTMENT FOR IO/UNP EDMONDSON

E.O. 12958: N/A
TAGS: [UNGA](#) [UNGA](#)
SUBJECT: ACTION REQUEST: SIXTH COMMITTEE DRAFT RESOLUTION
ON THE PROGRAMME OF ASSISTANCE

¶1. ACTION REQUEST: USUN requests instructions from the Department to join consensus on the Sixth Committee's draft resolution on the UN Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (agenda item 79) contained in para 3, or substantially similar text. The text of all draft resolutions are due in the Sixth Committee by November 9. USUN expects the Sixth Committee to take action on draft resolutions shortly thereafter. USUN point of contact for this resolution is Elizabeth Wilcox, (212) 415-4220, WilcoxE@state.gov. END ACTION REQUEST.

¶2. BACKGROUND/COMMENT: As discussed, the text in para 3 does not differ substantially from the resolution on this item adopted by the Sixth Committee during the sixtieth session (A/60/514). New preamble paragraphs PP1 - PP4 and PP10 - PP11 underscore the Programme's contribution to the subject of international law, the importance of maintaining a balanced representation of major legal systems and geographical regions in the Programme's seminars, and the desirability that Member States and international organizations make available, to the extent possible, facilities and resources for the Programme's implementation. New operative paragraphs OP9 - OP13 welcome the dissemination of more legal information on the Internet, the establishment of a Programme website, the development and maintenance of an audiovisual library, and technical assistance and training by the Secretariat's Office of Legal Affairs. The text notes that funding for these activities should be provided within available resources and through voluntary contributions. Per OP21, the United States would be appointed to serve on the twenty-five member Advisory Committee on the Programme of Assistance for a four-year term beginning January 1, 2008. USUN has discussed the potential extrabudgetary implications of draft resolution with the Secretariat, in particular OP7 and OP8 concerning publications and OP9 and OP10 concerning the dissemination of information via the Internet. The Secretariat has assured USUN that the activities covered by

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these paragraphs will be conducted within existing resources and that the resolution does not have extrabudgetary financial implications. END BACKGROUND/COMMENT.

¶3. Text of draft resolution on the UN Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law:

BEGIN TEXT:

Sixty-second session
Sixth Committee
Agenda Item 79

Draft Resolution

UN Programme of Assistance in the Teaching, Study,
Dissemination and Wider Appreciation of International Law

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and international law and to an international order based on the rule of law and international law, which is essential for peaceful coexistence and cooperation among States,

Recalling its resolution 2099 (XX) of 20 December 1965 which established the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law to contribute towards a better knowledge of international law as a means of strengthening international peace and security and of promoting friendly relations and cooperation among States,

Noting the significant contribution of the Programme of Assistance to a better knowledge of international law for more than four decades as envisaged in the above resolution,

Considering nevertheless that much remains to be done in this field,

Taking note with appreciation of the report of the Secretary-General on the implementation of the United

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Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and the recommendations made to the Secretary-General by the Advisory Committee on the Programme of Assistance, which are contained in that report,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

Noting with appreciation the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

Convinced, nevertheless, that States and international organizations and institutions should be encouraged to give further support to the Programme and increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Reaffirming also the hope that, in appointing lecturers for the seminars to be held within the framework of the fellowship programmes in international law, account would be taken of the need to secure the representation of major legal systems and balance among various geographical regions,

11. Approves the guidelines and recommendations contained in section III of the report of the Secretary-General, I as well as the recommendations made by the Advisory Committee on the Programme of Assistance, in particular those designed to achieve the best possible results in the administration of the Programme of Assistance within a policy of maximum financial restraint;

12. Authorizes the Secretary-General to carry out in 2008 and 2009 the activities specified in his report, including the provision of:

(a) A number of international law fellowships in both 2008 and 2009, to be determined in the light of the overall resources for the Programme of Assistance and to be awarded at the request of Governments of developing countries;

(b) A minimum of one scholarship in both 2008 and 2009 under the Hamilton Shirley Amerasinghe Memorial Fellowship on the

Law of the Sea, subject to the availability of new voluntary contributions made specifically to this fellowship fund;

(c) Subject to the overall resources for the Programme of Assistance, assistance in the form of a travel grant for one participant from each developing country, who would be invited to possible regional courses to be organized in 2008 and 2009;

and to finance the above activities from provisions in the regular budget, when appropriate, as well as from voluntary financial contributions earmarked for each of the activities concerned, which would be received as a result of the requests set out in paragraphs 18 to 20 below;

¶13. Expresses its appreciation to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the Programme of Assistance in 2006 and 2007, in particular for the organization of the forty-second and forty-third sessions of the International Law Seminar, held at Geneva in 2006 and 2007, respectively, and for the activities of the Office of Legal Affairs of the Secretariat related to the International Law Fellowship Programme and to the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, carried out, respectively, through its Codification Division and its Division for Ocean Affairs and the Law of the Sea;

¶14. Requests the Secretary-General to consider admitting, for participation in the various components of the Programme of Assistance, candidates from countries willing to bear the entire cost of such participation;

¶15. Also requests the Secretary-General to consider the relative advantages of using available resources and voluntary contributions for regional, subregional or national courses, as against courses organized within the United Nations system;

¶16. Further requests the Secretary-General to continue to provide the necessary resources to the programme budget for the Programme of Assistance for the next and the future bienniums with a view to maintaining the effectiveness of the Programme of Assistance;

¶17. Recognizes the importance of the United Nations legal publications prepared by the Office of Legal Affairs, and strongly encourages their continued publication;

¶18. Welcomes the efforts undertaken by the Office of Legal Affairs to bring up to date the United Nations legal publications;

¶19. Welcomes also the placing on the Internet of the Reports

of International Arbitral Awards, the Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice, and other legal information, as well as the expansion of the website of the International Law Commission to include all its documentation;

¶10. Welcomes further the establishment of the website on the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law;

¶11. Notes the need to safeguard and preserve the audiovisual history of legal developments within the United Nations, which constitutes an invaluable resource for promoting a better knowledge of international law;

¶12. Notes with satisfaction the efforts made by the Codification Division of the Office of Legal Affairs to revitalize, within available resources, the United Nations Audiovisual Library of International Law and urges States to make voluntary contributions to enable the Codification Division to develop and maintain this Audiovisual Library;

¶13. Welcomes the training and technical assistance activities in international law undertaken by the Office of Legal Affairs in the framework of the Programme of Assistance, as described in the report of the Secretary-General, and encourages the continuation of such activities within available resources;

¶14. Expresses its appreciation to the United Nations Institute for Training and Research for its participation in the Programme of Assistance through the activities described in the report of the Secretary-General;

¶15. Also expresses its appreciation to the United Nations Educational, Scientific and Cultural Organization for its participation in the Programme of Assistance through the activities described in the report of the Secretary-General;

¶16. Further expresses its appreciation to The Hague Academy of International Law for the valuable contribution it continues to make to the Programme of Assistance, which has enabled candidates under the International Law Fellowship Programme to attend and participate in the Fellowship Programme in conjunction with the Academy courses;

¶17. Notes with appreciation the contributions of The Hague Academy to the teaching, study, dissemination and wider appreciation of international law, and calls upon Member States and interested organizations to give favorable consideration to the appeal of the Academy for a continuation of support and a possible increase in their financial contributions, to enable the Academy to carry out its activities, particularly those relating to the summer courses, regional courses and programmes of the Centre for Studies and Research in International Law and International Relations;

¶18. Requests the Secretary-General to continue to publicize the Programme of Assistance and periodically to invite Member States, universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme of Assistance or otherwise to assist in its implementation and possible expansion;

¶19. Reiterates its request to Member States and to interested organizations and individuals to make voluntary contributions, inter alia, for the International Law Seminar, the International Law Fellowship Programme, the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea and the United Nations Audiovisual Library of International Law, and expresses its appreciation to those Member States, institutions and individuals that have made voluntary contributions for this purpose;

¶20. Urges in particular all Governments to make voluntary contributions for the organization of regional courses in international law by the Codification Division of the Office of Legal Affairs, in collaboration with the United Nations Institute for Training and Research, especially with a view to covering the amount needed for the financing of the daily subsistence allowance for up to twenty-five participants in each regional course, thus alleviating the burden on prospective host countries and making it possible to continue to organize the regional courses;

¶21. Decides to appoint twenty-five Member States, six from Africa, five from Asia, three from Eastern Europe, five from Latin America and the Caribbean and six from Western Europe

and other States, as members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, for a period of four years beginning on 1 January 2008;

¶22. Requests the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of

the Programme of Assistance during 2008 and 2009 and, following consultations with the Advisory Committee on the Programme of Assistance, to submit recommendations regarding the execution of the Programme of Assistance in subsequent years;

¶23. Decides to include in the provisional agenda of its sixty-fourth session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law."

END TEXT.
Khalilzad